IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.45571 of 2008
SANTOSH KUMAR
Versus
STATE OF BIHAR
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2. 19.12.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a Police case under Sections 406, 420 of the Penal Code and Sections ¾ of the SC/ST (Prevention of Atrocities) Act.

The allegations relate to a sum of Rs. 900/-. The submission on behalf of the petitioner is that since the offences are compoundable, he is willing to pay the amount without prejudice to his contentions. In so far as the latter Act is concerned, the allegations themselves are of the occurrence at the house of the informant and not at a public place in public view making the Act inapplicable.

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Be that as it may, if the petitioner surrenders along with a sum of Rs. 900/- , the court below shall proceed to enlarge him on bail on P.R. bond to the satisfaction of C.J.M., Purnea in Sadar P.S. Case No. 353 of 2008.

The court below shall then consider the desirability of asking the informant, if he was willing to accept the sum of Rs. 900/- in the background of the compoundable nature of the offence. In the event of the informant declines, it shall be invested by the court below in a Government interest earning security to be abide by the result of the case. .

AKS/ **(Navin Sinha, J.)**